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SUBJECT: DJIBOUTI CONDEMNS LATEST BORREL CASE JUDGMENT

¶1. (SBU) SUMMARY: Djibouti has reacted with outrage to the latest judgment in the long-running series of legal battles between France and Djibouti over the 1995 death of French magistrate Bernard Borrel in Djibouti. In a March 29 communique, the GODJ strongly condemned the Versailles Correctional Tribunal's verdict against Djiboutian Security Service Chief Hassan Said and Chief Prosecutor Djama Souleiman. On March 27, the Versailles court found both defendants guilty of illegally influencing the testimony of two witnesses in the Borrel case, Mohammed Saleh Alhoumekani and Ali Iftin. Iftin and Alhoumekani had earlier testified that President Guelleh and other Djiboutian officials were responsible for Borrel's death. Despite the refusal of the defendants and the principal witnesses to respond to subpoenas, the Court levied in absentia sentences of twelve months of prison for Hassan Said and eighteen months of prison for Djama Souleiman. END SUMMARY.

¶2. (U) Post's translation of the French-language communique, which received prominent coverage in national state-run media, follows:

BEGIN TEXT:

The Republic of Djibouti is not surprised by the overtly racist decision of the Correctional Tribunal of Versailles, which on March 27 upheld arrest warrants and sentenced the Chief Prosecutor of Djibouti to 18 months of prison and the Chief of the National Security Service to 12 months of prison for an alleged offense of witness subornation.

This verdict is nothing but the result of an investigation conducted since November 2002 in a climate of hatred towards Djiboutians by activist judges connected with Mrs. Borrel, herself a magistrate and a "partie civile." These French magistrates therefore know well that they risk nothing in thus seriously violating the most elementary judicial rules, including for example the competencies of French justice.

The Republic of Djibouti had already forcefully denounced the fact that the French government did not guarantee a fair and independent trial for these Djiboutian nationals. The magistrates who sentenced the Chief Prosecutor of Djibouti and the Chief of the National Security Service are all members of the union of magistrates, which is the "partie civile" in the Borrel affair being investigated in Paris; therefore the magistrates are both judges and concerned parties!

It is now obvious that the French government, which like Mrs. Borrel chooses to hide the real reason for the death of Bernard Borrel, has once again chosen to keep a deafening silence about the serious malfunctioning of its judicial

system, and has preferred to allow the condemnation of Djiboutian officials to escape its own responsibility.

In fact, the French government has kept the cause of the death of Bernard Borrel--which is rooted in crimes of pedophilia committed against street children in Djibouti by French diplomats, civil servants, soldiers, and clergymen--sealed as a "Defense Secret" since October 1995.

The French state has made itself an accomplice to these crimes of pedophilia not only by guaranteeing the impunity of the authors of these heinous crimes, but also by continuing to silence the rare French citizens who have dared to denounce the horror of this crime.

The Republic of Djibouti will consider all the consequences of this action whereby the French government took the side of injustice and lies.

END POST TRANSLATION

13. (SBU) COMMENT: The GODJ's outrage over this latest development is a further sign that the Borrel affair--now over twelve years old--continues to complicate the Franco-Djiboutian relationship, despite President Sarkozy inviting Djiboutian president Guelleh for a state visit to France in late 2007. END COMMENT.

WONG